



Atty Docket D-2958RE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of

Dennis E. Parham

Serial No.: 10/705,666

Filed: November 10, 2003

For: Merchandising Display

Track Device Of Multiple-Piece Construction

Group Art Unit: 3634

Examiner: Novosad, J. E.

Confirmation No.: 5356

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL DECLARATION**

I hereby declare that:

1. Every error in the patent corrected in the present reissue application, and not covered by the prior oath(s) and/or declaration(s) submitted with this application, arose without any deceptive intention on the part of the applicant.

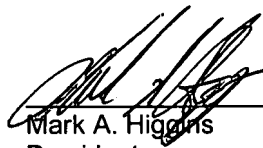
2. An error in the original patent, US Patent No. 6,325,221, was claiming less than entitled to claim in original claims 1-17. Independent claims 1, 2, 14 and 16 are directed to a track device having several parts including elongated track members. Claims 1 and 14 are directed to a track device generally having track segments with longitudinal connections. Claims 2 and 16 are directed to a track device generally having track segments and a front piece.

3. Claims 25-29 correct the original claims by claiming the front piece alone; that is, without also claiming all the structure of the track device to which the front panel assembly attaches. Claims 25-29 thus broaden the definition of the invention.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

For the Assignee,

5/31/07  
Date

  
Mark A. Higgins  
President  
Display Industries, LLC.



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Alexandria, VA 22313-1450

Sir:

**AFFIDAVIT OF JAMES DAVID ROBERTSON**

State of Georgia       )  
                                  )ss:  
County of Gwinnett    )

James David Robertson, being duly sworn, and having personal knowledge of the facts set forth herein, hereby deposes and says that:

1. I am a designer employed by Display industries, LLC. which was created in 1998 and is successor to the display business of The Mead Corporation.

2. Prior to 1998 Mr. Dennis E. Parham and I were employed by The Mead Corporation.

3. While employed by The Mead Corporation Mr. Parham and I worked on projects together or in collaboration for eight years.

4. The invention described in U.S. Patent No. 6,325,221 was developed by Mr. Parham who was employed by The Mead Corporation to do so.

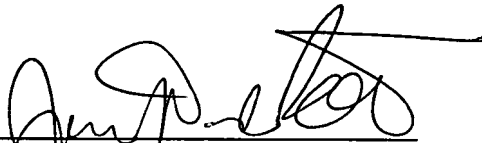
5. During the 1990s The Mead Corporation divested itself of several of its businesses, and in 1998 divested itself of its display business which is now Display Industries, LLC.

6. While rumors of the divestment of the display business were circulating, Mr. Parham became quite concerned and eventually disgruntled.

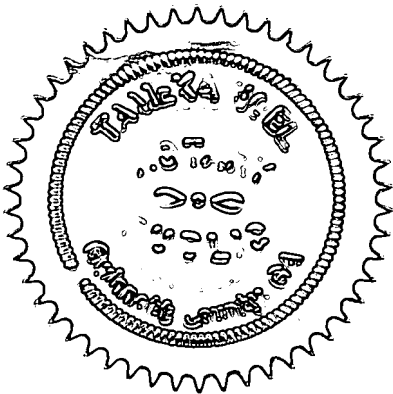
7. Prior to the divestment, when the divestment was imminent, Mr. Parham left The Mead Corporation disgruntled, presumably to work for a competitor to the display business of The Mead Corporation and therefore a direct competitor to Display Industries, LLC.


8. At the time of Mr. Parham's departure, cordial personal and business relationships did not exist, cordial personal and business relationships have not since existed, and today no relationship exists.

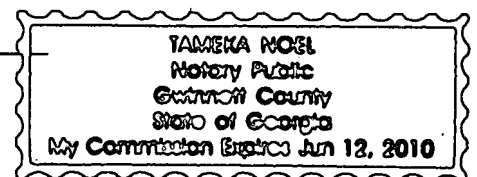
9. All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the reissue patent application or any patent issued thereon.

  
James David Robertson

On this 29 day of May, 2007, before me, a Notary Public for the above County and State, personally appeared James David Robertson, known to me or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument.



  
Notary Public





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Examiner: Novosad, J. E.

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Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

**AFFIDAVIT OF MARK A. HIGGINS**

State of Georgia       )  
                                  )ss:  
County of Gwinnett    )

Mark A. Higgins, being duly sworn, and having personal knowledge of the facts set forth herein, hereby deposes and says that:

1. I am president of Display Industries, LLC., which was created in 1998 and is successor to the display business of The Mead Corporation..

2. Prior to 1998 Mr. Dennis E. Parham and I were employed by The Mead Corporation.

3. While employed by The Mead Corporation Mr. Parham and I worked together for a number of years to manufacture and market various merchandising display products.

4. The invention described in U.S. Patent No. 6,325,221 was developed by Mr. Parham who was employed by Mead Corporation to do so.

5. During the 1990s The Mead Corporation divested itself of several of its businesses, and in 1998 divested itself of its display business which is now Display Industries, LLC.

6. While rumors of the divestment of the display business were circulating, Mr. Parham became quite concerned and eventually disgruntled.

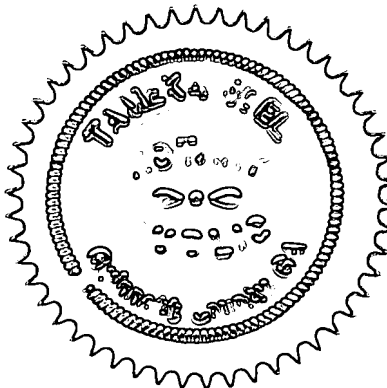
7. Prior to the divestment, when the divestment was imminent, Mr. Parham left The Mead Corporation disgruntled, presumably to work for a competitor to the display business of The Mead Corporation and therefore a direct competitor to Display Industries, LLC.

8. At the time of Mr. Parham's departure, cordial personal and business relationships did not exist, cordial personal and business relationships have not since existed, and today no relationship exists.

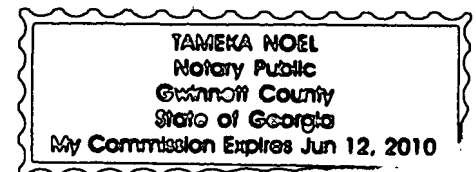
9. All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the reissue patent application or any patent issued thereon.

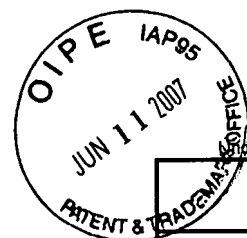
  
Mark A. Higgins

On this 31 day of May, 2007, before me, a Notary Public for the above County and State, personally appeared Mark A. Higgins, known to me or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument.



  
Notary Public





PTO/SB/56 (2-05)

Approved for use through 04/30/2007. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**REISSUE APPLICATION FEE TRANSMITTAL FORM**

Docket Number (Optional)

D-2958RE

**Application as Filed - Part 1**

	(1) Claims in Patent	(2) Claims Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity	
				Rate (\$)	Fee (\$)	Rate (\$)	Fee (\$)
Total Claims (37 CFR 1.16(i))	(A)	(B)	**** 0 =	x	= 0	x	=
Independent Claims (37 CFR 1.16(h))	(C)	(D)	* 0 =	x	= 0	x	=
Application Size Fee (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).					or	
				Filing Fee (37 CFR 1.16(e))			
				Search Fee (37 CFR 1.16(n))			
				Examination Fee (37 CFR 1.16(r))			
				Total Filing Fee			

**Application as Amended - Part 2**

	(1) Claims Remaining After Amendment	(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
				Rate (\$)	Fee (\$)	Rate (\$)	Fee (\$)
Total Claims (37 CFR 1.16(i))	*** 27	MINUS	** 22 = 0	x	= 0	x	=
Independent Claims (37 CFR 1.16(h))	*** 9	MINUS	***** 8 = 0	x	= 0	x	=
Application Size Fee (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				0		
				Total Additional Fee	0		

\* If (D) is less than (C), enter "0" in column 3. For reissues filed on or after Dec. 8, 2004, enter (D) minus 3 or "0" if (D) is less than 3.

\*\* If the "Highest Number of Total Claims Previously Paid For" is less than 20, enter "20" in this space.

\*\*\* After any cancellation of claims.

\*\*\*\* If (A) is greater than 20, enter (B) - (A); if (A) is 20 or less, enter (B) - 20. For reissues filed on or after Dec. 8, 2004, enter (B) - 20.

\*\*\*\*\* For amendments filed on or after Dec. 8, 2004, enter the "Highest Number of Independent Claims Previously Paid For."

For amendments filed prior to Dec. 8, 2004, enter the higher of the Number Previously Paid or Number of Independent Claims in Patent.

☒ Applicant claims small entity status. See 37 CFR 1.27.☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.☐ The Director is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing/additional fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

John L. James

Typed or printed name

June 6, 2007

Date

28724

Registration Number, if applicable

770-792-0360

Telephone Number

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.